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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/051,470	01/18/2002	Rajko Milovanovic	TI-32116	1391

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EXAMINER

BONSHOCK, DENNIS G

ART UNIT PAPER NUMBER

2173

DATE MAILED: 07/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/051,470

Applicant(s)

MILOVANOVIC, RAJKO

Examiner

Dennis G. Bonshock

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 November 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 7,8 and 11-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 7,8 and 11-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

Final Rejection

Response to Amendment

1. It is hereby acknowledged that the following papers have been received and placed on record in the file: Amendment as received on 11-23-2004.

2. Claims 1-17 have been examined.

Status of Claims:

3. Claims 7, 8, and 11-17 rejected under 35 U.S.C. 103(a) as being unpatentable over Matthews, III et al., Patent #6,469,721, hereinafter Matthews and Mills et al., Patent #5,513,306, hereinafter Mills.

4. Claims 1-6, 9, and 10 have been canceled by the applicant.

Information Disclosure Statement

5. The listing of references in the specification is not a proper information disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by the Office, and MPEP § 609 A(1) states, "the list may not be incorporated into the specification but must be submitted in a separate paper." Therefore, unless the references have been cited by the examiner on form PTO-892, they have not been considered.

Claim Objections

6. Claim 7 is objected to because of the following informalities: the claim states "an enhancement listing generator wherein enhanced listing of programs are sequentially provided...", which is grammatically incorrect. Appropriate correction is required.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 7, 8, and 11-17 rejected under 35 U.S.C. 103(a) as being unpatentable over Matthews, III et al., Patent #6,469,721, hereinafter Matthews and Mills et al., Patent #5,513,306, hereinafter Mills.

9. With regard to claim 7, which teaches a computer system comprising: a processor, and an operating system memory containing programs and a presentation means, Matthews teaches, in column 6, lines 7-63, a computer system comprising a processor and a operating system memory containing programs displayable on a display. With regard to claim 7, further teaching an enhancement listing generator wherein enhanced listings of programs are sequentially provided with enhanced presentations on a presentation means to assist user to assist the user in selecting a list of the programs, Matthews teaches, in column 15, lines 9-55 and in figure 22, a list comprising a textural description of each item along with a corresponding icon depicting further information regarding the item and, upon selection, providing preview information to the user. With regard to claim 1, further teaching a means for selecting programs on the listing, Matthews teaches, in column 6, lines 47-51, input means for selecting items. Matthews, however, doesn't specifically teach the generation and storing of user selected enhancement presentations, for later selection. Mills teaches representing

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segments of video by preview files (see column 3, lines 17-32), similar to that of Matthews, but further teaches in column 7, lines 1-10, column 9, line 62 through column 10, line 39, and in figure 6, allowing the user to create and store a user selected key frame (picture representing a segment of the video) for use at a later time. It would have been obvious to one of ordinary skill in the art, having the teachings of Matthews and Mills before him at the time the invention was made to modify the preview viewing system of Matthews to allow for user generated previews, as did Mills. One would have been motivated to make such a combination because this allows for the user to choose the most representative portion of a body of work, in their own eyes.

10. With regard to claim 8, which teaches the enhanced presentations being pictures, Matthews teaches, in column 15, lines 41-46, the preview information being a text, an image of the speaker, or a short movie.

11. With regard to claim 11, which teaches the system including an Internet connection and browser and the enhanced presentations being received from the remote source, Matthews teaches, in column 16, lines 35-51, the preview information being received from a remote location over the internet, it is further inherent that some sort of browser is used to accept this information (URLs are used by Web browsers to locate Internet resources).

12. With regard to claim 12, which teaches the listing items being HTML tags with addresses and the enhancements being samples from the addresses, Matthews teaches, in column 16, lines 35-51, the listings comprising addresses which are used to retrieve, over the interment, the preview information.

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13. With regard to claim 13, which teaches the enhanced listing being presented sequentially item by item to provide enhancement presentations for a brief period of item sufficient to allow the user to decide on a selection, Matthews teaches, in column 15, lines 9-60, in column 4, lines 17-39, and in figure 22, the added icon (enhanced listing) being presented for each item in the list and providing a short preview of the information to allow for user selection.

14. With regard to claim 14, which teaches the enhancements being audio sound sequences, Matthews teaches, in column 15, lines 41-46, the preview information being an audio file.

15. With regard to claim 15, which teaches the audio sound sequences being from an MP3 plug-in, Matthews teaches, in column 16, lines 1-5, the sequences of preview information being in one of any of a plurality of text, audio, image, or video formats. It would have been obvious to one of ordinary skill in the art, having the teachings of Matthews and Mills that the audio format described by Matthews could be an MP3 format, as is commonly used in the art.

16. With regard to claim 16, which teaches the enhancements being pictures and/or video sequences, Matthews teaches, in column 15, lines 41-46, the preview information being a text, an image of the speaker, or a short movie.

17. With regard to claim 17, which teaches the pictures being from an MPEG4 or JPEG plug-in or plug-ins for other video image formats. Matthews teaches, in column 16, lines 1-5, the sequences of preview information being in one of any of a plurality of text, audio, image, or video formats, and further specifically mentions JPEG type files.

Response to Arguments

18. The arguments filed on 11-23-2004 have been fully considered but they are not persuasive. Reasons set forth below.

19. Applicant's arguments with respect to claim 7 have been considered but are moot in view of the new ground(s) of rejection.

20. With regard to the applicants' argument that Matthews doesn't teach the enhanced listing being presented sequentially item by item to provide enhancement presentations for a brief period of item sufficient to allow the user to decide on a selection.

21. The examiner respectfully submits that Matthews teaches, in column 15, lines 9-60, in column 4, lines 17-39, and in figure 22, a presentation presented for each item in the list and providing a short preview of the information to allow for user selection. This preview (brief representation of a larger body) is available for each item as the user sequences (possibly via the remote) through the listings, placing different items from the list in the focus.

Conclusion

22. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

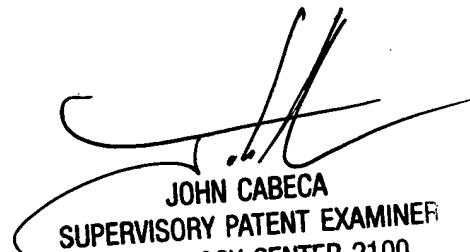
23. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

24. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis G. Bonshock whose telephone number is (571) 272-4047. The examiner can normally be reached on Monday - Friday, 6:30 a.m. - 4:00 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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25. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

7-20-05
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